

UNITED STATES OF AMERICA
BEFORE
THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM
WASHINGTON, D.C.

In the Matter of:)	Docket No. 11-121-E-I
)	
Angel P. Guerzon, Jr.)	
a former Institution- Affiliated)	Order of Prohibition
Party of:)	Issued Upon Consent Pursuant to
)	Section 8(e) of the Federal
Orion Bank,)	Deposit Insurance Act, as Amended
Naples Florida)	
a former state member bank.)	

WHEREAS, pursuant to sections 8(e) and 8(i)(3) of the Federal Deposit Insurance Act, as amended (the “FDI Act”), 12 U.S.C. §§ 1818(e) and (i)(3), the Board of Governors of the Federal Reserve System (the “Board of Governors”) issues this Order of Prohibition (the “Order”) upon the consent of Angel Guerzon, a former employee and institution-affiliated party, as defined in section 3(u) of the FDI Act, 12 U.S.C. § 1813(u), of Orion Bank, Naples, Florida (the “Bank”), a former state member bank, which was a wholly-owned subsidiary of Orion Bancorp, Naples, Florida (the “Company”), a former registered bank holding company.

WHEREAS, Guerzon, a former Senior Vice-President of the Bank, engaged in violations of law, unsafe and unsound banking practices, and breaches of fiduciary duty that have caused losses to the Bank, including, *inter alia*: 1) participating in the making of loans to uncreditworthy nominee entities in order to evade the State of Florida’s legal

lending limit and participating in those nominee entities' purchase of classified loans from the Bank in order to create the illusion on the Bank's call reports that non-performing loans were being reduced, and performing loans increased; 2) participating in the making of loans by the Bank to the same nominee entities and another third-party, the proceeds of which were used to purchase the Bank's parent holding company's own stock for the purpose of creating the illusion of a legitimate \$15 million capital infusion into the Bank; and 3) providing false documentation to federal and state banking regulators to conceal the true source of the capital infusion and the true financial condition of the Bank.

WHEREAS, Guerzon entered a guilty plea on March 29, 2011 to conspiracy to misapply funds by a bank officer, making a false entry in the books, reports and statements of a financial institution by a bank officer, committing bank fraud and obstructing the examination of a financial institution, in violation of 18 U.S.C. § 371.

WHEREAS, by affixing his signature hereunder, Guerzon has consented to the issuance of this Order by the Board of Governors and has agreed to comply with each and every provision of this Order, and has waived any and all rights he might have pursuant to 12 U.S.C. § 1818, 12 CFR Part 263, or otherwise: (a) to the issuance of a notice of intent to prohibit on any matter implied or set forth in this Order; (b) to a hearing for the purpose of taking evidence with respect to any matter implied or set forth in this Order; (c) to obtain judicial review of this Order or any provision hereof; and (d) to challenge or contest in any manner the basis, issuance, terms, validity, effectiveness, or enforceability of this Order or any provision hereof.

NOW THEREFORE, prior to the taking of any testimony or adjudication of or finding on any issue of fact or law implied or set forth herein, and without this Order constituting an admission by Guerzon of any allegation made or implied by the Board of Governors in connection with this proceeding, and solely for the purpose of settlement of this proceeding without protracted or extended hearings or testimony:

IT IS HEREBY ORDERED, pursuant to sections 8(e) and (i)(3) of the FDI Act, 12 U.S.C. §§ 1818(e) and (i)(3), that:

1. Guerzon, without the prior written approval of the Board of Governors and, where necessary pursuant to section 8(e)(7)(B) of the FDI Act, 12 U.S.C.

§ 1818(e)(7)(B), another Federal financial institutions regulatory agency, is hereby and henceforth prohibited from:

(a) participating in any manner in the conduct of the affairs of any institution or agency specified in section 8(e)(7)(A) of the FDI Act, 12 U.S.C. § 1818(e)(7)(A), including, but not limited to, any insured depository institution or any holding company of an insured depository institution, or any subsidiary of such holding company;

(b) soliciting, procuring, transferring, attempting to transfer, voting or attempting to vote any proxy, consent, or authorization with respect to any voting rights in any institution described in section 8(e)(7)(A) of the FDI Act, 12 U.S.C.

§ 1818(e)(7)(A);

(c) violating any voting agreement previously approved by any Federal banking agency; or

(d) voting for a director, or serving or acting as an institution-affiliated party, as defined in section 3(u) of the FDI Act, 12 U.S.C. § 1813(u), such as an officer, director or employee, in any institution described in section 8(e)(7)(A) of the FDI Act. 2.

2. All communications regarding this Order shall be addressed to:

(a) Richard M. Ashton, Esq.
Deputy General Counsel
Board of Governors of
the Federal Reserve System
20th & C Sts., N.W.
Washington, DC 20551

(b) Mr. Angel P. Guerzon Jr.


ROYAL PALM BEACH, FL 33411

With a copy to:

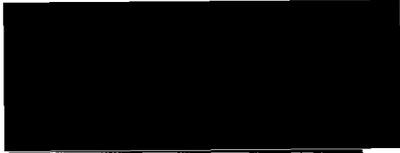
Landon P. Miller, Esq.
975 6th Avenue South
Suite 200
Naples, Florida 34102

3. Any violation of this Order shall separately subject Guerzon to appropriate civil or criminal penalties, or both, under sections 8(i) and (j) of the FDI Act, 12 U.S.C §§ 1818(i) and (j).

4. The provisions of this Order shall not bar, estop, or otherwise prevent the Board of Governors, or any other Federal or state agency or department, from taking any other action affecting Guerzon; provided, however, that the Board of Governors shall not take any further action against Guerzon relating to the matters addressed by this Order based upon facts presently known by the Board of Governors.

5. Each provision of this Order shall remain fully effective and enforceable until expressly stayed, modified, terminated, or suspended in writing by the Board of Governors.

By order of the Board of Governors of the Federal Reserve System, effective this 1st day of November 2011.



Angel P. Guerzon Jr.

BOARD OF GOVERNORS OF THE
FEDERAL RESERVE SYSTEM

By 

Jennifer J. Johnson
Secretary of the Board